

**NEVADA STATE BOARD OF
PHYSICAL THERAPY EXAMINERS
MINUTES**

BOARD MEETING

SEPTEMBER 14, 2005

- Item 1- Call to order / roll call to determine the presence of a quorum. After determining the presence of a quorum, the meeting was called to order at 8:45am. Board members present: Pamela Hogan, PT, OCS, FSOM, Chairman; Jack Close, MA, PT, FAPTA, Secretary/Treasurer; Ceferino Villafuerte, PT. Conee Spano, M.Ed. entered the meeting at 9:24am. Non-members in attendance: Lawrence P. Mooney, Chief Inspector; Dena James, Senior Deputy Attorney General; Allison Tresca, Executive Secretary. Inspector Angelo Sakelaris entered the meeting at 9:18am.
- Item 2- Review and approval of minutes for Board meeting of July 21, 2005. On motion by Board member Close, seconded by Board member Villafuerte and approved with a unanimous vote, the minutes were approved as amended. The amendment was: page 5, item 2: change Dr. Rowles to Mr. Rowles.
- Item 3- Review and approval of executive session minutes for Board meeting of July 21, 2005. On motion by Board member Close seconded by Board member Villafuerte and approved with a unanimous vote, the executive session minutes were approved as amended. The amendment was grammatical.
- Item 4- Review and approval of Treasurer's Report for period ending July 2005. On motion by Board member Close, seconded by Board member Villafuerte and approved with a unanimous vote, the Treasurer's Report was approved. Secretary/Treasurer Close stated that he had performed bank reconciliations with the Executive Secretary and there was nothing of major concern.
- Item 5- Review and approval of Profit and Loss Report for period ending July 2005. On motion by Board member Close, seconded by Board member Villafuerte and approved with a unanimous vote, the Profit and Loss Report was approved. Secretary/Treasurer Close noted that the Board should stay out of the red as much as possible. He also stated that certain expenses are out of the control of the Board.
- Item 6- Review and approval of Balance Sheet as of August 1, 2005. On motion by Board member Close, seconded by Board member Villafuerte and approved with a unanimous vote, the Balance Sheet was approved. Secretary/Treasurer Close noted that he had reviewed information on the Pooled Collateral

Program that the State of Nevada offers. He noted that the funds are pooled with other agencies and the Board does not have as much control over the money as it is placed into a State account. He also noted that to access the funds is time-consuming and we must have our funds liquid.

- Item 7- Review and approval of Secretary's Report for September 14, 2005 board meeting. On motion by Board member Close, seconded by Board member Villafuerte and approved with a unanimous vote, the Secretary's Report was approved.
- Item 8- Applicant Jill Downam requests to take the National Physical Therapy Examination for Physical Therapist's a seventh time in accordance with NRS 640.100(4). On motion by Board member Hogan, seconded by Board member Close and approved with a unanimous vote, the Board entered closed session. After returning to open session, on motion by Board member Close, seconded by Board member Villafuerte and approved with a unanimous vote, the applicant was granted permission to sit for the National Physical Therapy Examination a seventh time.
- Item 9- Licensee John Atherton appears for the Board to determine his compliance with the terms of his probation. Board member Hogan stated for the record that she had recused herself in the past, but feels she is able to be impartial. On motion by Board member Hogan, seconded by Board member Close and approved with a unanimous vote, the Board entered closed session. After returning to open session, the Board found that Mr. Atherton was in compliance with his probation. Board member Spano entered the meeting on this item, but did not participate in any way as she was not present for the entire matter.
- Item 10- Licensee Timothy Bertrand appears to request release from probation imposed in September 2003. On motion by Board member Hogan, seconded by Board member Close and approved with a unanimous vote, the Board entered closed session. The Chairman agreed to allow Shelia Bertrand to remain for the closed session. After returning to open session, on motion by Board member Spano, seconded by Board member Close and approved with a unanimous vote, the licensee was released from probation. The licensee was advised that a formal letter from the Board would be sent to him and that all records would be updated to reflect that the license was no longer on probation.
- Item 11- Licensee Sheila Bertrand appears to request release from probation imposed in September 2003. On motion by Board member Hogan, seconded by Board member Close and approved with a unanimous vote, the Board entered closed session. The Chairman agreed to allow Timothy Bertrand to remain for the closed session. After returning to open session, on motion by Board member Close, seconded by Board member Spano and approved with a unanimous vote, the licensee was released from probation. The licensee was advised that

a formal letter from the Board would be sent to her and that all records would be updated to reflect that the license was no longer on probation.

Item 12- Request from licensee Gerard Hesch requesting a refund of the reinstatement fee imposed due to license not renewed by July 31, 2005 as provided in NRS 640.150. Senior Deputy Attorney General James advised the Board that there is a concept in the legal field called the “mail-box rule” which provides that an item is deemed received by the party you are sending it to when it is placed in the mail-box with appropriate postage. Mr. Hesch’s renewal was postmarked July 29, 2005 and therefore was considered timely filed. The Board was advised that based on that information, the reimbursement fee of \$150 was refunded to the licensee. The Executive Secretary noted that she had performed an initial review of the late renewals, but will perform a detailed review to determine if any other licensees are due a refund of the reinstatement fee. The Board office will retain mailing envelopes for renewals towards the end of the renewal period. The Executive Secretary noted that the May 2006 Newsletter will advise licensees to renew on time to ensure they can post a current license on August 1 and to ensure that their license can be verified as active on August 1. Board member Close noted that in-house postage machines have the ability to change the postmark date. The Executive Secretary noted that although it is against the law to change the date on a postage machine, it may happen.

Item 13- Complaint Hearings or Review and Approval of Consent Decrees.

Case #2005-11 / Jennifer Grgurich-Abdalla. On motion by Board member Spano seconded by Board member Villafuerte and approved with a unanimous vote, the Consent Decree was approved.

Case #2005-27 / Krista J. Schultz. On motion by Board member Spano, seconded by Board member Villafuerte and approved with a unanimous vote, the Consent Decree was approved. It was discussed that attempts were made to reach the licensee by phone at both her residential and professional numbers of record, but the numbers were no longer valid.

Item 14- Report from the Deputy Attorney General.

(A) Clarification regarding Board counsel. Ms. James advised that Sandra Carolina had been assigned to the Board to handle all matters regarding complaints. Chairman Hogan stated that all Board members are encouraged to contact counsel any time they have a question. It was confirmed that all calls to the DAG would be billed. The Executive Secretary stated that she can answer many questions as well and if she is not able to, then counsel should be contacted. It was advised that the District Court case involving Kimberly Short was found in favor of Ms. Short. The Judge ruled that Ms. Short was charged an excessive amount due to her failure to pay a fine in a

timely manner. It was suggested that in the future, similar cases be handled by finalizing the Judgment (Consent Decree) in District Court to garnish wages and/or place a lien on property owned by the licensee. The Secretary of State handles such matters once the Judgment is entered into District Court and finalized.

It was also advised that the Donald Nobis case was still pending in District Court. Mr. Nobis had appealed the decision of the Board. It was advised the case was scheduled for oral arguments on October 4th. The Judge will either take the matter under advisement or render a verdict that day. The previous request by Mr. Nobis to stay the order had been denied so the Board can begin inspections and collect the imposed fine.

Item 15- Activities of the Board office.

- a) Update of activities of the Board office. The Executive Secretary stated that the renewal period went well, despite the fact that many licensees waited until the last two weeks to renew. It was advised that renewals are processed the same day received if possible. She advised that the continuing education audit was underway. The audit is 20% of those licensees who are required to obtain continuing education. The audit contains 274 people this year. The Executive Secretary advised that a detailed audit of the accounting program had been performed which included a review of each customer and vendor. The customers requiring a change in status to inactive was performed and memorized transactions removed where necessary. It was also advised that three individuals were issued refunds based on fingerprinting fee overpayments made in 1997. It was also advised that the licensure database had been updated to track those in supervisory positions and those who are being supervised. The Board office receives many calls from licensees who cannot recall who their supervisor is or who they are supervising. The Board office can now easily determine when a licensee is supervising too many physical therapist's assistants. Board member Villafuerte complimented the Executive Secretary for having the foresight to track supervision. He noted that he had thought of this issue last year and it was nice to see it done. The Executive Secretary stated that the Board office had been cleaned from floor to ceiling, including having the carpets steam-cleaned.
- b) Review and approval of office lease for period of January 1, 2006 through December 31, 2008. The Executive Secretary noted that our current lease has a provision to renew for an additional three year term with the renegotiation of the per square foot charge. She advised that she assists the landlord with some on-site functions and the landlord enjoys having the State as a tenant, so she has been able to negotiate the lease without a rent increase. She noted that the landlord was out of the country, so the lease would be presented at the November meeting of the Board.

- c) Executive Secretary requests annual performance evaluation. Possible revision of Work Performance Standards Form to be addressed. The Executive Secretary handed out her comments regarding her performance this past year and requested that the Board perform an evaluation at the November meeting. The members should mail their completed evaluation forms to Chairman Hogan by October 20, 2005 using the mailing envelopes provided by the Board office. She also noted that comments are encouraged, not just the numbered ratings. Board member Spano said she has always encouraged her staff to better themselves and suggested the Executive Secretary address how she believes she can improve her skills. The Executive Secretary commented that her report to the Board includes areas she is working on. Board member Spano asked the Executive Secretary to look at what she can do to improve herself. Board member Spano stated that attendance at an annual conference could be considered to professionally enhance the Executive Secretary. Board member Hogan stated that attendance at the FSBPT annual meeting would be a good place to start to professionally enhance the Executive Secretary. Board member Spano stated that as supervisors, the Board should always encourage the Executive Secretary to improve herself and her skills.
- d) Discussion and possible action regarding offering licensees on-line license renewals. The Executive Secretary advised that all physical therapy jurisdictions were contacted regarding their cost of implementing on-line renewals. In addition, several Boards in Nevada were contacted as well. She noted that she contacted GL Suite, which is the company used by most jurisdictions, regarding offering on-line renewals. The initial start-up cost would be approximately \$6,200 to \$7,000. This would put the Board on-line and allow for renewals. The licensees would be able to perform all of the functions of the paper renewal. The monthly cost would be approximately \$600. It is suggested that a dual process be offered for 2-3 years to allow licensees to become familiar with the on-line process. It was noted that most jurisdictions stated they would continue to offer the option of renewing using a paper form. It was discussed that security is an issue with on-line renewals as computers hackers are increasing. It was noted that many people do not feel comfortable using an on-line system as they don't feel secure using personal credit card information on a website. It was also advised that a paper reminder was mailed to all licensees advising of the on-line option. That cost is the same as mailing a paper renewal. It was noted that the banking would have to be reconciled each night to log in each payment and licenses would still have to be printed, signed, sealed and mailed. It was also noted that for a Board of our size, we can handle the paper renewals easily. The Executive Secretary noted that she prefers to remain with the paper process to keep in contact with the licensees and perhaps consider offering on-line renewals when the Board is much larger. Board member Spano said we should look towards offering on-line renewals in the future by gathering the data and starting the process now. Board member Close stated that it is a futuristic goal and the process will

change by that time. He further commented that he does not want to spend the time and money to look into this until we want to adopt it. Board member Hogan noted that this is something to look at in the future. She noted that the monthly cost is very high.

- e) Request to reimburse the Board Clerk for medical insurance premiums. The Executive Secretary noted that the Board Clerk went from 20 hours per week to 32.5 hours per week in September of 2004. At that time, she quit her other part-time job which offered medical insurance. It was discussed that the private medical insurance rate is less costly than the State rate. It was discussed that the Board Clerk is provided sick/vacation time, holidays and PERS. Vacation time began accruing at her one-year anniversary in August 2005. Board member Hogan noted that to be eligible for employee medical through her work, an employee must work at least 32 hours per week and the employee absorbs part of the cost. Board member Close advised that if the Board were to offer the insurance at \$157.10 x 12 months (\$1,885.20), it would be a 9% increase in her salary. Calculating the amount of \$157.10 at 75%, based on hours worked, would equal \$117.82 per month which would be equal to a 7% increase. Board member Villafuerte asked if the hours of the Board Clerk would be increasing. It was discussed that the Board would make that determination based on a request from the office if there is a need for the office to be open longer hours. Board member Spano commented that a 50/50 plan has been instituted at the University. The Executive Secretary was directed to contact other Nevada Boards to gather data on staffing and benefits. This information, along with the Board Clerk's evaluations, is to be presented to the Board at the next meeting for action.

Item 16- Review and possible adoption of Continuing Education courses as recommended by the Continuing Education Advisory Committee (CEAC). On motion by Board member Close, seconded by Board member Villafuerte and approved with a unanimous vote, the courses were approved as recommended by the CEAC at their August 12, 2005 meeting.

Course Approvals: (N) indicates course recommended for non-clinical education units

PROVIDER:	COURSE NAME:	UNITS
A.P.T.A.	"He Just Bumps Into Things" : Recognizing & Reporting Signs of Child Abuse	0.2
A.P.T.A.	Loss, Grief & Adjustment: A Primer for Physical Therapy, Parts I & II	0.2
A.P.T.A.	Integumentary System - Repair & Management: An Overview	0.2

A.P.T.A.	Progressive Multifocal Leukoencephalopathy in a Patient With AIDS	0.2
A.P.T.A.	Osteopenia: Implications for PTs Managing Patients of All Ages	0.2
A.P.T.A.	Evidence-based Practice in Pediatric Physical Therapy	0.2
A.P.T.A.	Patient Classification & Low Back Pain	0.2
A.P.T.A.	Sciatica or Intermittent Vascular Claudication?	0.2
A.P.T.A.	Guide in Action: Patient With Total Hip Replacement	0.2
A.P.T.A.	"Beginning My Way Back" Neuropathic Plantar Ulcer in a Patient With Diabetes Who is Homeless	0.2
A.P.T.A.	Demyelinating Diseases: Central & Peripheral	0.2
A.P.T.A.	Obesity Epidemic: Health Consequences & Implications for Physical Therapy	0.2
A.P.T.A.	Evaluation & Intervention: Urinary Incontinence in Elderly Men & Women	0.3
A.P.T.A.	Ethics & Professional Responsibility in Physical Therapy	0.4 (N)
A.P.T.A.	Management of Posterior Cruciate Ligament Pathology	0.3
A.R.T. (Active Release Techniques)	Upper Extremity Workshop	1.5
A.R.T. (Active Release Techniques)	Spine Workshop	1.5
A.R.T. (Active Release Techniques)	Lower Extremity Workshop	1.5
Advances in Clinical Education & North American Sports Medicine	Current Concepts for the Knee & Shoulder	1.5
Barton Memorial Hospital	8th Annual Spine Conference	0.75
Care2Learn.com	Back in Golf - Rehab. Techniques	0.4
Care2Learn.com	Shoulder Impingement & Rehab Techniques	0.36
Care2Learn.com	How Much Do You Know About HIV & AIDS?	0.3
Care2Learn.com	Alzheimer's Disease & Related Disorders (ADRD): Handle W/Care - Overview & Intensive	0.4

Care2Learn.com	Physical Therapist's Guide to Documentation for Medicare	0.3 (N)
Care2Learn.com	Arthritis	0.3
Care2Learn.com	Group Therapy	0.3
Care2Learn.com	Eclectic Treatment for Spasticity	0.3
Care2Learn.com	Cervical Spine Stabilization & Rehab Techniques	0.4
Care2Learn.com	Lumbar Spine Stabilization & Rehab Techniques	0.4
Care2Learn.com	Documentation	0.3 (N)
Care2Learn.com	Clinical Reasoning	0.2
Care2Learn.com	Domestic Violence: Awareness & Prevention	0.1 (N)
Care2Learn.com	Infection Control Basics - Protect Your Patient, Protect Yourself	0.1
Care2Learn.com	Prevention & Management of Occupational Exposure to HIV/AIDS	0.1
Care2Learn.com	Geriatric Diagnostic Testing for PT & OT	0.2
Care2Learn.com	Diabetes - A Primer	0.1
Care2Learn.com	Fibromyalgia: The Missed Diagnosis	0.2
Care2Learn.com	Strength Training Principles for the Physical Therapist: Basic Biomechanics	0.1
Care2Learn.com	Ultra Massage - 21st Century Ultrasound-Massage Techniques	0.2
Care2Learn.com	Multiple Sclerosis	0.1
Care2Learn.com	Ethics for Physical Therapists	0.3 (N)
Care2Learn.com	Thoracic Spine Stabilization & Rehabilitation Techniques	0.4
Care2Learn.com	Medical Errors Prevention for Physical Therapists	0.3
Creative Disability Solutions, Inc./Nevada Shakespeare Company	Sensory Integration (SI) Tool Kit Workshop: Bringing Sensory Processing to Schools & Homes	1.5
Dialogues in Contemporary Rehabilitation	Cranial Therapy Series: (CRNS 201)	1.5
Dogwood Institute, Inc.	Therapeutic Intervention in the Neonatal Intensive Care Unit	1.5
Erchonia Medical	Efficacy of 3LT Lasers in Physical Therapy	0.8
Good & Associate	Therapeutic Balls: A New Generation of Treatment Applications & Therapy Progressions	0.725
Hampton Cares	Pediatric Early Intervention Treatment	1.4

Hanger Prosthetics and Orthotics	Advancements in Upper Extremity Prosthetics: Outcomes and Opinions	0.5
Hanger Prosthetics and Orthotics	Orthotic Technology: A New Foundation for the Future	0.5
Hanger Prosthetics and Orthotics	Prosthetic Advancements: A Team Approach	0.5
Health To Me	How to Use Acupuncture Points in Physical and Occupational Therapy	1.5
Institute for Natural Resources	Women's Health: Migraines & Headaches	0.3
Institute for Natural Resources	Women's Health: Menopause	0.3
Institute for Natural Resources	Women's Health: Depression	0.3
Institute for Natural Resources	Women's Health: Chronic Pain	0.3
Institute for Natural Resources	Women's Health: Insomnia	0.3
Institute for Natural Resources	Aging Body, Aging Mind	0.3
Medtronic Neurological	Spasticity Management: Clinical Decision Making for Therapists	0.45
National Academy for Continuing Education	Domestic Violence: Recognition & Response	0.8 (N)
National Academy for Continuing Education	Lumbar Spine Injuries in Athletes: Functional Anatomy, Evaluation, Treatment of Problems	1.2
National Academy for Continuing Education	Upper Extremity: Evaluation and Treatment of Non-Surgical Orthopaedic Problems	1.5
National Academy for Continuing Education	Lower Kinetic Chain and the Foot and Ankle	1.5
National Academy for Continuing Education	Innovative Wound Care Techniques	1.5
National Academy for Continuing Education	Industrial Medicine and Rehabilitation	1.5
National Academy for Continuing Education	Total Knee Replacement	1.5
National Academy for Continuing Education	Female Athlete	1.5
North American Seminars	Dizziness & the Cervical Spine	1.5
North American Seminars	Biomechanics & Rehabilitation of the Knee	1.5
North American Seminars	Improving Functional Outcomes for the CVA Patient	1.5

North American Seminars	Systematic Treatment Approach to Wound Care	1.5
North American Seminars, Inc.	Vestibular Rehab: A Comprehensive Clinical Approach for Positive Functional Outcomes	1.5
Northeast Seminars & Prometheus Group	Spring Into Health: 1st International Congress on Current Health Issues for Men & Women	1.5
Orthotic Reaction	2005 The Art & Science of Locomotor Biomechanics & Foot Orthoses	1.5
Otto Bock Health Care	Upper Extremity Limb Loss Rehab.:An Introductory Course for Therapists	0.725
Prometheus Group	Female Pelvic Floor Dysfunction and Treatment-Level I	1.5
RehabCare Group, Inc.	Guide for the Effective Clinical Instructor	0.7 (N)
St. Mary's Regional Medical Center	Multidisciplinary Grand Rounds: In-Hospital & Post-Hospital Stroke Management	0.15
St. Mary's Regional Medical Center	Multidisciplinary Grand Rounds: Advancing the Treatment of Alzheimer's Disease	0.15
St. Mary's Regional Medical Center	Advances in Alzheimer's Disease	0.1
Strategies 4 Success	Beyond Balance: Evidence Based Practice Enhancing Quality of Life in the Geriatric Patient	0.725
Texas Tech University	Shoulder Pain	0.1
Texas Tech University	Knee Pain	0.1
Texas Tech University	Ankle & Foot Problems	0.1
Texas Tech University	ACL Rehab Update	0.1
Texas Tech University	Rehabilitation of Patella Femoral Syndrome	0.1
Texas Tech University	Round Table Discussion of PT Issues: Part II	0.1
Texas Tech University	Round Table Discussion of PT Issues: Part I	0.1
Texas Tech University	Orthopedic Rehabilitation of Shoulder Instability: Part II	0.1
Thorp Institute	Electro-Acuscope & Myopulse Technician Training Certification Course	1.5
Trinity Healthforce Learning	Parkinson's Disease & Physical Therapy	0.1

Trinity Healthforce Learning	HIV/AIDS, Part 2: Transmission & Treatment	0.1
Trinity Healthforce Learning	HIV/AIDS, Part 1: Epidemiology & Diagnosis	0.1
Washoe Health Systems	COPD Management & Treatment for the Inpatient Therapist	0.2
WhiteStone Education, Inc.	Rehab for the ICU & Acute Care Patient	1.5

Course Denials: Unless otherwise noted, courses were denied as not being relevant to the practice of physical therapy. On motion by Board member Close, seconded by Board member Spano and approved with a unanimous vote, the courses were denied based on the recommendation of the CEAC.

A.P.T.A.	Conservative Pain Management for the Older Patient <i>(no timeline provided)</i>
A.P.T.A.	Female Athlete Across the Lifespan <i>(no timeline provided)</i>
A.P.T.A.	Rehabilitation of Rotator Cuff Lesions <i>(no timeline provided)</i>
A.P.T.A.	Your Niche Practice: Business & Marketing Essentials
Care2Learn.com	Customer Care:How to Enhance Your Service Skills
Care2Learn.com	Rehab Program Development: The How-To Guide
Institute for Natural Resources	Burnout, Stress & Fatigue
National Academy for Continuing Education	Understanding and Treating the Geriatric Patient:: An Overview for PTs, OTs & STs
RehabCare Group, Inc.	Functional Independence Measures (FIM)
St. Mary's Regional Medical Center	Aquatic Therapy <i>(no timeline provided, certificate was not accurate, course description vague)</i>
Washoe Health System	Leadership Quest

Item 17- Update from Pamela Hogan regarding her attendance at the Federation of State Boards of Physical Therapy Annual Meeting. It was discussed that the meeting was good, but the first day was not very informative. It was discussed that the FSBPT reserve account was excessive. The FSBPT indicated a new building was being constructed as they are experiencing security issues with their current building. It was discussed that a jurisprudence examination is being used by many jurisdictions. Jurisdictions have been making various accommodations to their licensure laws to facilitate the physical therapists affected by Hurricane Katrina. It was discussed that fingerprinting is a statutory requirement and the Board cannot release anyone from a statutory requirement. The Executive Secretary noted that the office will assist applicants who have been affected in any way possible by performing

verifications from the office, etc. It was also discussed that the FSBPT has a database that maintains information from all jurisdictions and the FSBPT is trying to ensure that all jurisdictions report. The Executive Secretary stated that she reports to the FSBPT as people are licensed, disciplined, etc. Chairman Hogan stated that she and another jurisdiction were successful in a motion to donate \$25,000 of the FSBPT funds to Hurricane Katrina Relief. It was discussed that the foreign language test has changed to an on-line process.

- Item 18- Update from Chief Inspector Lawrence P. Mooney regarding the status of annual inspections. The Executive Secretary noted that this item was not to address the next series of inspections as the Board was deferring such action until the current inspections are completed. Chief Mooney noted that inspections after June are a waste of time as licensees have moved and already reported such changes to the Board. He indicated there are approximately 35 locations left to inspect. There have been no increases in the number of violations found in comparison to the past years. This is the first year that all facilities are being inspected, with the exception of Home Health agencies. Board member Spano asked if it was difficult to obtain updated information from the Board office. Mr. Mooney indicated that his list was from October 2004. The Executive Secretary stated that an updated list can be prepared for the Inspectors upon request. It was discussed that at the last meeting it was determined that inspections need to be completed at 100% as the licensees had been advised of these inspections. It was also discussed that the Board wants the data as to how much 100% inspections cost. The Executive Secretary advised that a spreadsheet was being created to track inspections. Board member Spano said she would like to see a report at the next meeting as to the status of that report.
- Item 19- Possible adoption of rules of order for Board in decision making. It was determined that Board member Close would forward his copy of Legislature's Rules of Order to the office. That copy would be routed to all of the Board members for review. It was discussed that Rules of Order are not legislatively mandated. Rules are used to help the Board keep track during a meeting. It is most important that the Board and public can follow what occurs during a meeting. It was also noted that adoption of rules is not required.
- Item 20- Review and discussion of Nevada Administrative Code 640 for possible recommended changes. Boyd Etter stated that he has suggested changes. One change was NRS 640.160(2)(i) which cites a licensee cannot engage a referral for profit. Mr. Etter wants NAC to address this to leave no doubt as to what the intent of NRS 640.160(2)(1) was when it was added. Senior Deputy Attorney General James asked Mr. Etter if the NPTA was prepared to submit their suggested language as to how the current language should read. Mr. Etter stated that he does not believe the language is unclear, but he was under the impression that the current code could not be enforced. The Executive Secretary stated that the Board has never indicated that a provision

of the Practice Act was unenforceable. The Board has always maintained that we cannot investigate or enforce anything without a formal complaint with information supporting the allegations. The Board had been approached by individuals who wanted an investigation performed but were not willing to file a complaint or cooperate in the investigation. Mr. Etter stated that he would like to see the Model Practice language added to the Practice Act. The Executive Secretary stated that the NAC changes were a compilation of suggestions and requests over the past year. Board member Close requested that the Executive Secretary provide notations on each change as to the reason for the change. Senior Deputy Attorney General James stated that each individual Board member provide the Executive Secretary with their suggested changes to NAC to add to the master list as there are numerous changes. She stated that it would require the individual Board members to review NAC outside the time of the Board meetings. She stated that all Board members should come prepared to the meeting. It was discussed that when NRS changes were discussed, the Board went through the entire language. The Executive Secretary advised that when NRS changes were considered, each Board member came prepared with their specific changes. Board member Close stated we should go through each item and if there are no suggestions, the item should be closed and should not be revisited. Board member Hogan stated that the Board should dedicate an entire day to this item.

- Item 21- Items for future agendas. An item will be added to discuss a policy to limit the number of attempts a candidate may take the national examination.
- Item 22- Public comment period. Boyd Etter stated that he wanted the Practice Act language changed to include manipulation and wants that “front and center” when the Board discusses NRS changes next year. He stated that he knows the Board supports adding this term. He stated he also wants the term physiotherapy added to the scope of practice. He stated that he wants the Board to submit this language as the Board carries a “bigger stick”. He stated he will be happy to lobby in support of these changes. He believes the Chiropractic Board will be bringing forth a bill which will prohibit physical therapists from performing manipulations. He suggested license renewals be extended to two years. He suggested a 2 or 4 hours jurisprudence and/or ethics examination every couple of years. Mr. Etter stated that the inspections at 100% did not increase violations and he believes it was overkill.
- Item 23- Confirm schedule of future Board meetings and their locations. Tentative dates for the next meeting are January 19 and 20 or January 26 and 27. The meeting will be two days to accommodate a workshop for NAC changes.
- Item 24- Review of files/ratification for licensure. On motion by Board member Spano, seconded by Board member Close and approved with a unanimous vote, the was approved

FILES FOR REVIEW/RATIFICATION:

Physical Therapists

Ma. Concha Roquero	1921	Richard Villanueva	1935
Thias Mollet	1922	Bridget Holm	1936
Catherine Poe	1923	Isabel Naranjo deBeetley	1937
Robert Freschuaf	1924	Lawrence Contreras	1938
Garra Allen	1925	Stacy Biddle	1939
Jennifer Napoli	1926	Matthew Greenberg	1940
Sean Yao	1927	Elisabeth Brown	1941
Suzanne Ocariza	1928	Kathleen Loy	1942
Manuel Baluyut	1929	Albert Kamatoy	1943
Katherine Buckley	1930	Kaylene Meyer	1944
Eric Vial	1931	Jason Henne	1945
Terresa Ferruccio	1932	Jennifer Travers	1946
Melissa Brandt	1933	Brian Anderson	1947
Melanie Kum	1934		

Physical Therapist's Assistants

Jamie McAlister	A-0400	Angelica Rodriquez	A-0405
Alisha Tobler	A-0401	Pauline Suarez	A-0406
Maria Barragan	A-0402	Fred Mangosing	A-0407
Robin Carroll	A-0403	Emma Hepplewhite	A-0408
Ana Pitti	A-0404		

Item 25- Applicant Galan Allen requests to be licensed as necessitated by the results of his fingerprinting report. On motion by Board member Hogan, seconded by Board member Close and approved with a unanimous vote, the Board entered closed session. After returning to open session, on motion by Board member Close, seconded by Board member Spano and approved with a unanimous vote, the applicant is to undergo a urine and hair drug analysis at the applicant's expense. Upon receipt of a negative report, a probationary license is to be issued and a second urine and hair drug analysis is to be performed after six months, also at the expense of the applicant. If the second report is negative, the license will be removed from probation. If the second test is positive, the license will be immediately suspended and the licensee will be required to appear before the Board.

If the initial test is positive, the request for licensure will be immediately denied.

Item 26- Adjournment of the Board meeting. The meeting was adjourned at 2:15pm.